

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20680 of 2018

Arising Out of PS. Case No.-132 Year-2016 Thana- KHARIK District- Bhagalpur

Ashok Kumar Singh, Son of Late Hari Singh, resident of Village- Kathela,
P.S. Kharik, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rana Pratap Singh, Adv Mr. Manish Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Panch Nand Pandit, A.P.P
For Informant	:	Mr. Sunil Kumar Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Petitioner had earlier moved for bail in Cr. Misc. No.
22938 of 2017, which was rejected vide order dated 23.06.2017.
Petitioner is languishing in judicial custody since 10.09.2016 in
connection with Kharik P.S. Case No. 132 of 2016 pending in
the Court of learned 2nd Additional District and Sessions Judge,
Naugachia registered for the offence punishable under Sections
302 and 120B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner-father-in-law, Khushboo Devi-wife, and
Gulshan Kumar- brother-in-law of the deceased killed elder
brother of the informant, Rajesh Kumar.



He submits that the petitioner has not committed any offence. The statement of co-accused before the police has no evidentiary value in the eye of law and the petitioner is ready to cooperate in the trial.

However, learned counsel for the informant submits that the wife of the deceased in her confessional statement has implicated the petitioner to be involved in the murder of her husband.

In this regard, a report had been called for from the Court of learned 2nd Additional District and Sessions Judge, Naugachia, Bhagalpur, who vide letter dated 28.04.2018 has stated that out of eleven witnesses, ten witnesses have been examined and the trial shall be concluded within a period of six months, if the prosecution cooperates.

Considering the facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner. This application is, accordingly, rejected. The Trial Court is directed to expedite the trial and conclude it within six months.

(Nilu Agrawal, J.)

Arjun/Pragya

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